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To:	Examiner KRUER	From:	Raymond C. Stewart Richard Gallagher
Fax:	(703) 872-9306	Date:	January 19, 2005
Phone:		Pages:	3 (including cover sheet)
Your Ref.:	SN 09/773,627	Our Ref.:	D152-0551P
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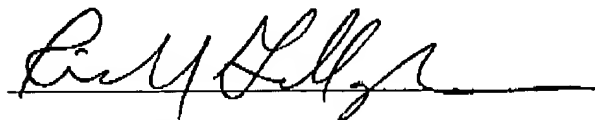
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Comments: Examiner KRUER,

As you will see, the holding of non-responsiveness in this case was based upon a misunderstanding. Our response of 19 October 2004 was not an Amendment, it was a Request for Reconsideration. No claims are amended.

Please withdraw the holding of non-responsiveness and consider our Request for Reconsideration on its merits.

Thank you,



Richard Gallagher

BIRCH, STEWART, KOLASCH & BIRCH, LLP

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PATENT
0152-0551P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: ARIYASU, Hideyuki, et al. Conf.: 7701
Appl. No.: 09/773,627 Group: 1773
Filed: February 2, 2001 Examiner: KRUER, Kevin
For: THERMOPLASTIC RESIN INTEGRATED STRUCTURE

RESPONSE TO 'NOTICE OF NON-RESPONSIVE AMENDMENT'

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

January 19, 2005

Sir:

The Office Action that was mailed on January 11, 2005 states (emphasis supplied) that:

The ***amendment to the claims*** filed on October 19, 2004 does not comply with the requirements of 37 CFR 1.121(c) because the claims do not contain identifiers. Furthermore, the claim appendix does not contain a listing of all the claims.

The Office Action mailed January 11, 2005 concludes (emphasis supplied) with the statement:

Since the reply filed on October 19, 2004 appears to be *bona fide*, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, ***within which to submit an amendment*** in compliance with 37 CFR 1.121 in order to avoid abandonment.

Appl. No. 09/773,627


Applicants respectfully submit that the Examiner has apparently misunderstood the response that was filed in this application on October 19, 2004. That response was entitled "REQUEST FOR RECONSIDERATION" – it was **not** entitled "AMENDMENT". That response did not purport to amend any of the claims. A 'claims appendix' was attached to the response for the convenience of the Examiner, in order to facilitate reconsideration of the rejections – similar to the practice in connection with Appeal Briefs. However, Applicants did not attempt to amend any claim in the "REQUEST FOR RECONSIDERATION" that was filed on October 19, 2004, and it is respectfully submitted that Applicants are not now required to amend any claim.

The Examiner is requested to vacate the 'Notice of Non-Responsive Amendment' that was mailed on January 11, 2005, and to consider the October 19, 2004 REQUEST FOR RECONSIDERATION on its merits.

If there are any questions, the Examiner is respectfully requested to contact Richard Gallagher (28,781) at (703) 205-8008.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  #28,781
Raymond C. Stewart, #21,066

RCS/RG

0152-0551P

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Falls Church, VA 22040-0747
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